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7 *Attorneys for Defendants*
8 *Aurora Loan Services, LLC and MERS*

9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 JAMES BRADLEY BAILEY, an individual
12 Plaintiff,

13 v.

14 AURORA LOAN SERVICES, LLC;
15 CALWESTERN RECONVEYANCE
CORPORATION; AEGIS WHOLESALE
16 CORPORATION; and MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS,
17 and DOES 1-100 inclusive

18 Defendants.

Case No.: 2:10-cv-02119-GMN-PAL

ORDER EXPUNGING LIS PENDENS

19 This Court issued an Order [Doc #39] Granting Aurora Loans Services, LLC and Mortgage
20 Electronic Registration Systems, Inc. (collectively, "Defendants") Motion to Dismiss [Dkt. 6]. The
21 Plaintiff's state law claims were dismissed without prejudice. [Doc #6 at 1:14-15]. The Plaintiff's
22 federal claims under The Truth in Lending Act and The Real Estate Settlement Procedures Act were
23 dismissed with leave to amend; however, Plaintiff was required to file his amended complaint by
24 August 29, 2011; however, he has failed to do so. [Doc #40].

25 Defendants request that the lis pendens Plaintiff JAMES BRADLEY BAILEY ("Plaintiff")
26 recorded against the subject property be canceled.

27 The Court finds that Plaintiff recorded a Notice of Lis Pendens ("Lis Pendens") on or about
28 December 7, 2010, as Instrument Number 201012070003736 in real property records maintained by

1 the Clark County Recorder. A copy of the Lis Pendens is attached hereto as **Exhibit A** and fully
2 incorporated by reference.

3 Upon consideration of Defendants' request to cancel the above-referenced Lis Pendens, and
4 good cause appearing therefore, the Court hereby grants Defendants their requested relief and rules
5 as follows:

6 1. It is ordered, adjudged and decreed that the above-referenced Lis Pendens is hereby
7 canceled, released and expunged.

8 2. It is further ordered, adjudged and decreed that this Order canceling the above-
9 referenced Lis Pendens has the same effect as an expungement of the original Lis Pendens.

10 3. It is further ordered, adjudged and decreed that Defendants record a properly certified
11 copy of this Cancellation Order in the real property records of Clark County, Nevada within a
12 reasonable amount of time from the date of this Order's issue.

13 **IT IS SO ORDERED** this 2nd day of September, 2011.

14 
15 _____
16 Gloria M. Navarro
United States District Judge

17 Submitted by:

18 **AKERMAN SENTERFITT LLP**

19 /s/ Steven G. Shevorski

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